



# CITY OF SACRAMENTO

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CITY PLANNING DEPARTMENT  
927 TENTH STREET  
SUITE 300  
SACRAMENTO, CA 95814  
TELEPHONE (916) 449-5604

MARTY VAN DUYN  
PLANNING DIRECTOR

July 12, 1982

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Zoning Ordinance amendment to allow off-site parking under a lease or ownership arrangement only within the Central Business District (M-673)

## SUMMARY

The Zoning Ordinance currently allows, under a special permit, off-site parking to be provided in-lieu of required on-site parking throughout the City only if the project proponent owns the proposed parking site. This amendment would restrict this option so that it would only be applicable within the Central Business District. In addition, a provision would be added to allow leased off-site parking to be substituted for on-site parking under a special permit only within the Central Business District. Staff recommends that the Council adopt the proposed Zoning Ordinance Amendment as set forth in Attachment I.

## BACKGROUND

In 1981, the City adopted the C-3, Central Business District in-lieu parking ordinance. As part of this package of zoning ordinance amendments, a provision was included which allowed required on-site parking to be provided off-site under a special permit if the proposed parking lot was owned by the developer. Because of the placement of this provision within the ordinance, it was applicable for any zone within the City although the intent of this provision at the time of adoption was that it apply only to the C-3 zone.

During the past few years, the City has received a number of requests to allow required on-site parking to be provided off-site under primarily a lease, rather than an ownership arrangement. All of these requests were for projects within the Central City. Due to the smaller sized parcels within the Central City, it is often difficult for a developer to meet his parking requirements

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**APPROVED**  
BY THE CITY COUNCIL

JUL 20 1982

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through on-site parking facilities. In addition, due to the higher land costs of parcels within the Central City, a substitution provision which allows leased off-site parking is advantageous from a financial standpoint. However, staff is concerned that there is no assurance that the property owner will continue to own or lease the parcel devoted to parking in the future. Due to the impacts that may occur if off-site parking is no longer available, staff is recommending that all allowable parking substitutions under a special permit be restricted to the C-3 zone and that all other substitutions be required to obtain a variance.

A variance places the burden upon the developer to first attempt to provide some or all of the requested parking on site and to prove that he/she should be granted a parking variance due to some hardship condition. A variance allows the City maximum flexibility in establishing certain requirements as a condition of the variance approval. On the other hand, a special permit essentially indicates that parking substitutions are appropriate in any situation and therefore, it is more difficult to condition or deny a special permit request. Due to these procedural differences, staff is recommending that parking substitutions with a special permit, whether the parking will be provided under an ownership or lease arrangement, be restricted to the Central Business District or C-3 zone.

In the future, the parking sites granted as off-site parking facilities for developments within the C-3 zone may be converted to some other use. However, since transit services and public and private commercial parking lots are provided within the Central Business District, alternatives would be available for those commuters who lose their designated parking spaces. Such alternatives are not as readily available outside of the Central Business District. Therefore, under the proposed ordinance amendment, a variance rather than a special permit would be required for projects requesting parking substitutions which are located outside of the C-3 zone.

ENVIRONMENTAL DETERMINATION

The Environmental Coordinator has determined that the proposed project will not have a significant adverse effect on the environment and has filed a Negative Declaration.

VOTE OF COMMISSION

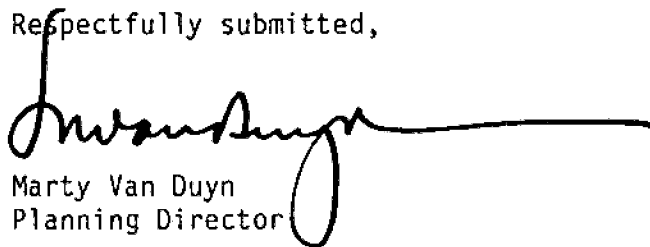
On July 8, 1982, the Planning Commission by a vote of seven ayes, two absent, unanimously endorsed adoption of this Zoning Ordinance Amendment.

RECOMMENDATION

Staff recommends that the Council:

- 1. Ratify the Negative Declaration;
- 2. Endorse amending the Zoning Ordinance to prohibit off-site parking substitutions under an ownership arrangement within all areas of the City except the C-3 zone; and
- 3. Endorse amending the Zoning Ordinance to allow off-site parking substitutions under a lease arrangement within the C-3 zone.

Respectfully submitted,



Marty Van Duyn  
Planning Director

FOR COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

MVD:SP:lao  
Attachment  
M-673

July 20, 1982  
All Districts

# ORDINANCE NO. 82-057

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTION 6-D-14 AND ADDING SECTION 6-D-1-d TO THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO, ORDINANCE NO. 2550, FOURTH SERIES RELATING TO ALLOWING OFF-SITE PARKING UNDER AN OWNERSHIP OR LEASE ARRANGEMENT IN LIEU OF ON-SITE PARKING WITHIN THE CENTRAL BUSINESS DISTRICT (M-673)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 6-D-14 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550 Fourth Series, is hereby amended to read as follows:

14. Ownership: Required parking shall be provided and maintained in the same ownership and on the same property as the major land use it is intended to serve.

SECTION 2.

Section 6-D-1-d of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550 Fourth Series, is hereby added to read as follows:

d. Substitution of Off-Site Parking for Required On-Site Parking.

A special permit may be granted to locate required off-street vehicle and bicycle parking on a parcel(s) within a quarter mile radius of the subject site, or, if the applicant provides a permanent and effective means of transporting employees or patrons from the parking parcel(s) to the subject site, beyond a quarter mile radius. A special permit may be granted only if the applicant provides written evidence that users of the subject site will have an unrestricted exclusive right to use the other parcel(s) for parking for a period of not less than ten (10) years.

PASSED FOR PUBLICATION:  
ENACTED:  
EFFECTIVE:

**APPROVED**  
BY THE CITY COUNCIL

JUL 20 1982

OFFICE OF THE  
CITY CLERK

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

# ORDINANCE NO.

41

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTION 6-D-14 AND  
ADDING SECTION 6-D-1-d TO THE COMPREHENSIVE  
ZONING ORDINANCE OF THE CITY OF SACRAMENTO,  
ORDINANCE NO. 2550, FOURTH SERIES, RELATING  
TO ALLOWING OFF-SITE PARKING UNDER AN  
OWNERSHIP OR LEASE ARRANGEMENT IN LIEU OF  
ON-SITE PARKING WITHIN THE CENTRAL BUSINESS  
DISTRICT

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

## SECTION 1.

Section 6-D-14 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

~~14. Ownership. -- Required off-street vehicle and bicycle parking shall be provided and maintained in the same ownership and on the same parcel as the major land use it is intended to serve; provided, that a special permit may be issued to permit required off-street parking to be located on a parcel or parcels adjacent to or within a one-quarter mile radius of the subject site, or on a parcel or parcels in excess of one-quarter mile radius if the applicant provides a permanent and effective means of transporting employees or patrons of the use from the parking area(s) to the site. -- The parcel or parcels on which the parking is proposed to be located must be and remain in common ownership with the site the parking serves. -- For purposes of this subsection 14, "common ownership" shall be deemed to exist where the owner of the subject site owns a fee interest in the parcel or parcels used for parking of such a nature as to entitle the owner to the free and unrestricted use of the parcel or parcels for parking.~~

14. Ownership: Required parking shall be provided and maintained in the same ownership and on the same property as the major land use it is intended to serve.

SECTION 2.

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A special permit may be granted to locate required off-street vehicle and bicycle parking on a parcel(s) within a quarter mile radius of the subject site, or, if the applicant provides a permanent and effective means of transporting employees or patrons from the parking parcel(s) to the subject site, beyond a quarter mile radius. A special permit may be granted only if the applicant provides written evidence that users of the subject site will have an unrestricted exclusive right to use the other parcel(s) for parking for a period of not less than ten (10) years.

PASSED FOR PUBLICATION:  
ENACTED:  
EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK  
M-673



CITY OF SACRAMENTO

M-673  
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7-20-82

OFFICE OF THE CITY CLERK  
915 I STREET SACRAMENTO, CALIFORNIA 95814  
CITY HALL ROOM 203 TELEPHONE (916) 449-5428

LORRAINE MAGANA  
CITY CLERK

June 25, 1982

TO: ALL INTERESTED PARTIES

On June 29, 1982, the following matter was scheduled to be heard before the City Council:

Amendment to the Zoning Ordinance relating to Off-Street Parking provided off-site under a long term lease (D-All) (M-673)

This hearing has been continued to July 6, 1982 at the hour of 7:30 p.m., in the City Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento California. Interested parties may appear and speak at the hearing.

Pursuant to Council Rules of Procedure 4.5(3), "No person who has once obtained a continuance of a hearing, whether by notice to the City Clerk as provided in Section 4.5(1) or by personal appearance as provided in paragraph 4.5(2) shall be granted a further continuance except by personally appearing at the Council meeting at the time at which the hearing is scheduled and by satisfying the Council that extraordinary circumstances exist which would justify such a continuance." Continuances may be requested by the owner of the subject property, applicant, appellant, or a designee for same.

Any questions regarding this hearing should be referred to the City Planning Department, 927 Tenth Street, Sacramento California, phone (916) 449-5604.

Sincerely,

*Anne Mason*

Lorraine Magana  
City Clerk

FILED  
By the City Council  
Office of the City Clerk  
cont to  
7-6-82  
JUN 29 1982

FILED  
By the City Council  
Office of the City Clerk  
cont. to  
7-20-82  
JUL 6 1982

LM/mm

cc: M-673 Mailing List (10)

(100-1)

City -

Department, 101 North Street, Sacramento, California, 95811 (916) 448-5000.

City of Sacramento  
Public Works Department  
101 North Street  
Sacramento, CA 95811

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JUL 8 1985

JUL 8 1985



TO ALL INTERESTED PARTIES

July 7, 1982

On July 6, 1982, the following matter was scheduled to be heard before the City Council after having been previously continued.

Amendment to the Zoning Ordinance relating to Off-Street Parking provided off-site under a long term lease (D-All) (M-673)

This hearing has been further continued to July 20, 1982, at the hour of 7:30 p.m., and in the Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California. Interested parties may appear and speak at the hearing.

Pursuant to Council Rules of Procedure 4.5(4), "No person who has twice obtained a continuance of a hearing shall be granted an additional continuance unless such person shall appear at the Council meeting at the time such hearing is scheduled, and satisfy the Council that a miscarriage of justice would result from the refusal of the Council to grant such a continuance." Continuances may be requested by the owner of the subject property, applicant, appellant, or a designee for same.

Any questions regarding this hearing should be referred to the City Planning Department, 927 Tenth Street, Sacramento, California, phone (916) 449-5604.

Sincerely,

Lorraine Magana  
City Clerk

LM/mlt/24  
cc: M-673 Mailing List (10)

1970

The following information was obtained from the records of the  
Department of the Interior, Bureau of Land Management, regarding  
the acquisition of the land described herein by the State of  
California. The land was acquired by the State of California  
in 1970, and is located in the County of [County Name],  
State of California. The land is situated in the [Area]  
of the [Area], and is bounded by [Description of Boundaries].  
The land is situated in the [Area] of the [Area], and is  
bounded by [Description of Boundaries]. The land is situated  
in the [Area] of the [Area], and is bounded by [Description  
of Boundaries]. The land is situated in the [Area] of the  
[Area], and is bounded by [Description of Boundaries].

Very truly yours,  
[Signature]  
[Title]